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INSTRUCTION NO. _____

Your award should include reasonable compensation for any mental and emotional suffering and distress experienced by plaintiff and reasonably probable to be experienced in the future.

Mental and emotional suffering and distress passes under various names, such as mental anguish, nervous shock, or the like. It includes all highly unpleasant mental reactions, such as fright, horror, grief, shame, humiliation, embarrassment, anger, chagrin, disappointment, worry, and nausea.

The law does not set a definite standard by which to calculate compensation for mental and emotional suffering and distress. Neither is there any requirement that any witness express an opinion about the amount of compensation that is appropriate for this kind of loss. The law does require, however, that when making an award for mental and emotional suffering and distress, you shall exercise calm and reasonable judgment. The compensation must be just and reasonable.

GIVEN: _____
District Judge

Comment: This instruction should be given where emotional distress damages are allowed in the absence of independent tort claims for negligent or intentional infliction of emotional distress. For independent tort claims of negligent or intentional infliction of emotional distress, instruct separately un MPI2d 15.01 et seq.

Proposed by P(# _____), D(# _____), Ct (# _____)
Disposition G _____ R _____ W _____

MPI2d 25.02 Damages - Personal Injury (Emotional Distress - Generally)